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STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND
DOCUMENTS FOR THE WORLD CONFERENCE

CONSIDERATION OF THE FINAL OUTCOME OF THE WORLD CONFERENCE,
TAKING INTO CONSIDERATION THE PREPARATORY WORK AND THE
CONCLUSIONS OF THE REGIONAL MEETINGS

Note verbale from the Permanent Mission of Canada
dated 23 April 1993

The Canadian Mission to the United Nations Office at Geneva presents its compliments to the Secretary-General of the World Conference on Human Rights and has the honour to submit the attached Canadian paper on the World Conference of Human Rights. This paper outlines a range of possible principles, reforms and initiatives which have been identified with a view to stimulating discussion on desirable outcomes for the Conference. It does not represent a definitive statement of Canada's position which will reflect, *inter alia*, results of consultations held within Canada on the basis of the attached paper.

The Canadian Mission requests that this paper be made an official document of the Preparatory Committee of the World Conference on Human Rights.

The Canadian Mission takes this opportunity to renew the assurances of its consideration to the Secretary General of the United Nations.

WORLD CONFERENCE ON HUMAN RIGHTS

The World Conference on Human Rights, which will take place in Vienna, Austria from 14 to 25 June, 1993, provides a unique opportunity to review progress in the international promotion and protection of human rights since the adoption of the Universal Declaration (1948), and identify actions which should be taken in the years ahead to strengthen and build on those achievements.

The essential challenge facing the United Nations in this regard is set out in the Secretary General's recent report on the Work of the Organization: that is the development of "an integrated approach to the objectives of peace, democracy and human rights and the requirements of development". Like the Secretary General's earlier "Agenda for Peace", this report underscores the crucial role of human rights as a fundamental UN Charter concern in its own right and an essential integral element of the UN's work to promote economic development and enhance global peace and security.

The task for the World Conference is to ensure that the international community's human rights machinery is equipped to fulfil its responsibility in the service of these fundamental goals as we approach a new millennium.

There is no shortage of valuable ideas to this end. However, overly ambitious efforts to overhaul the system or secure agreement on a large number of highly detailed proposals are likely to prove beyond the grasp of a single conference. A more realistic goal - emulating practice at recent global conferences on environment, children and women - would be to adopt an "action plan" recommending some reforms and setting in train work and further negotiations on others.

This paper outlines a range of possible principles, reforms and initiatives which have been identified with a view to stimulating discussion on desirable outcomes for the Conference, (i.e. it is not an official position paper).

These ideas are organized under four basic inter-related themes:

- realigning the place of human rights in the UN system to reflect its central, Charter importance;
- reaffirming commitment to universal human rights principles;
- strengthening international human rights monitoring machinery;
- encouraging integration of human rights, democracy and development.

This basic structure is designed with a view to identifying opportunities to advance a range of major priorities within the context of the Conference agenda adopted by the 47th session of the General Assembly. These priorities include increased implementation of universal human rights standards and advancement of the rights of women, indigenous rights and the role of NGOs. Such objectives will be central to the Canadian approach to the World Conference.

1. Realigning the place of human rights in the UN system to reflect its relative importance

While the UN Human Rights Programme responds to one of the three major goals of the UN Charter, it often appears to operate in isolation from important activities in other spheres (eg, peace and security) which could benefit from closer integration with the human rights machinery. Furthermore the Programme commands only a small proportion of the organization's total resources.

Against this background, the World Conference might:

- recommend that the Secretary General appoint a High Commissioner or Special Commissioner for Human Rights (with independent authority and powers of initiative and coordination that would complement and strengthen, rather than detract from, the existing structure of special rapporteurs and other mechanisms);
- call on the Secretary General and the Security Council to ensure effective deployment of established human rights machinery where appropriate in support of Security Council-mandated peacemaking/keeping/building operations (as those terms are described in the "Agenda for Peace");
- call on the Secretary General to ensure prominent and effective participation of the UN Human Rights Centre in early warning coordination mechanism chaired by the UN Department of Humanitarian Affairs and any other early warning processes developed pursuant to the "Agenda for Peace". (Canada has led efforts in the UN to develop and strengthen such mechanisms to avert population displacements and refugee flows resulting from human rights abuses);
- pledge all governments, and call on the General Assembly, to ensure adequate financing for the U.N. Human Rights Programme by setting a percentage target for funding from the UN general budget (current figure 0.7%);
- call on the Secretary General and Heads of Specialized Agencies (through the Administrative Committee on Coordination (ACC)), as well as regional organizations (e.g. OAS, CSCE, OAU) to improve cooperation and coordination of human rights activities undertaken by the United Nations, Specialized Agencies, and regional organizations;
- similarly, the Secretary General and the Heads of the Commonwealth and la francophonie should be encouraged to increase cooperation and coordination of their respective activities in the sphere of human rights.

2) Improving commitment to universal human rights principles

During the last 40 years, much effort has been devoted to the establishment of basic human rights principles and the setting of human rights standards. The major challenge now is to promote the full realization of these rights. To this end, the World Conference might:

- reaffirm the commitment of all UN members to the basic principles set forth in the Universal Declaration on Human Rights (1948);
- commit the international community to universal ratification by the year 2000 of the two human rights Covenants - civil and political, and economic, social and cultural - and the Optional Protocol to the ICCPR which recognizes the right of citizens to seek international redress for alleged violations of their human rights;
- affirm a global commitment to the full realization of the human rights of all women as well as men. Universal ratification of the Convention on the Elimination of all forms of Discrimination against Women and elimination of all reservations thereto represent crucial aims in this regard and should also be achieved by the year 2000;
- affirm the UN's commitment to promotion and protection of the rights of indigenous people: The International Year of Indigenous People presents an historic challenge in this regard;
- encourage completion of ongoing standard setting where still needed, notably:
 - Declaration on the Rights of Indigenous People;
 - Declaration on Violence Against Women: assuming completion of a draft this year by the Commission on the Status of Women, this should be adopted by this year's General Assembly;
 - Draft standard rules on the equalization of opportunities for disabled persons: encourage adoption by this year's General Assembly;
 - Declaration on the Right to Promote Human Rights;
 - basic standards for the development and operation of independent national human rights institutions (cf Paris Principles, to be reviewed by next session of UNGA);

- reaffirm that the responsibility for implementation and promotion of human rights devolves primarily on governments;
- affirm the essential role of the NGO community in the international promotion and protection of human rights and pledge to ensure concomitant NGO accessibility to, and influence in, international human rights organs;
- pledge the international community to improve popular understanding of basic human rights principles through better education, building on the outcome of the Montreal UNESCO Conference.

3) Strengthening international human rights monitoring machinery

The full realization of human rights requires that the mechanisms, programmes and institutions which have been developed to monitor and encourage full respect for international human rights obligations be further strengthened and made more effective. In addition to the measures outlined in section 1 above, the World Conference could:

- encourage the human rights treaty bodies to continue their collaboration in consolidating and streamlining human rights reporting obligations with a view to enhancing their effectiveness and facilitating government compliance with the treaties. The Committee on Elimination of Discrimination Against Women should play an integral role in this process;
- propose measures to strengthen the rapporteur/working group system by, inter alia, ensuring coverage of violations not addressed by present mechanisms, empowering mechanisms to take the initiative in addressing urgent situations and to follow-up on unresolved concerns addressed in their reports, and increasing awareness and the impact of the work of rapporteurs and working groups. The latter objective could be advanced by consolidating their findings in an annual report of the Secretary General on the state of human rights worldwide;
- set in train further efforts to make the treaty body and rapporteur/working group structure more sensitive to particular human rights abuses as they affect women and vulnerable groups (children, indigenous, minorities, disabled). Gender disaggregated information and analysis should figure in all treaty body and other monitoring exercises;
- pledge the international community to expedite work on creation of an international criminal court (as mandated by the Sixth Committee).

4) Encouraging integration of human rights, democracy and development

It is becoming increasingly evident that the full realization of human rights requires greater recognition of the vital inter-relationship between human rights, democracy and development. While action should continue to be taken with respect to serious cases of human rights abuses, countries which are committed to improving their capacity to promote and protect human rights should receive the encouragement and assistance of the international community. With this in mind, the World Conference could:

- reaffirm the principles of the Declaration on the Right to Development: the commitment of all states and the international community to strive for the realization by all individuals of their economic, social and cultural rights as well as their civil and political rights;
- pledge all governments and the international community to improve investment in the infrastructure necessary for administration of justice and protection of human rights, including through the development of independent national institutions for the promotion and protection of human rights;
- pledge all governments to ensure conditions exist by which NGOs can flourish and play a vital role in the development of societies and in the promotion of human rights and fundamental freedoms;
- revitalize international technical assistance programmes directed specifically at development of human rights infrastructure in developing countries;
- recognize the problem of human rights abuses as a major contributing factor to mass irregular migration of persons from, and within, the developing world;
- set in train mechanisms for increased cooperation between human rights practitioners in developed and developing countries, notably through enhanced contacts between national human rights institutions;
- call on the Secretary General to improve the effectiveness of the role played by the United Nations through an expanded and reconstituted Advisory Services programme under the UN Centre for Human Rights;
- encourage a closer working relationship between the UN Centre for Human Rights and the United Nations Development Programme (UNDP) and other UN agencies, including UNIFEM and INSTRAW,

ensuring integration of human rights considerations into UN system development programmes;

- encourage similar cooperation in this sphere among UN agencies, regional organizations and organizations such as the Commonwealth and la francophonie;
- underline the responsibility of human rights monitoring bodies (treaty bodies such as CEDAW and thematic rapporteurs and working groups) to address, in the course of their work, needs and opportunities for technical assistance in this area.